

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

STEVEN D. MORGAN,
Plaintiff,

v.

POLK COUNTY, TENNESSEE,
BILL DAVIS, PETE ROBERTS,
and DARREN HICKS,
Defendants.

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Civil Action No. 1:09-cv-00025

JURY DEMAND

RESPONSE TO SHOW CAUSE ORDER

The Court has previously asked that the Plaintiff file a written response and show good cause why his entire Complaint should not be dismissed with prejudice on the ground of failure to timely effect service of process upon the defendants. The Plaintiff would show that he previously sent Notices of Lawsuit and Request to Waive Service of Summons to the respective Defendants via certified mail. The Defendants did not return their Waivers of Service. Since that time, there have been ongoing discussions between the Plaintiff's counsel and representatives of the Defendants which would lead to a resolution of this cause. Accordingly, the Plaintiff has determined that he will voluntarily dismiss this matter at this time, without prejudice.

The Plaintiff is today filing with the Court a Notice of Dismissal pursuant to Rule 41(a)(1) and is also submitting a proposed Order of Dismissal for entry by the Court.

Respectfully Submitted,

/s/ MICHAEL E. RICHARDSON

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